

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-6 and 9-13 are pending in the application. Claims 1-6 and 9 are amended; and Claims 10-13 are added by the present amendment. Support for the new and amended claims can be found in the original specification, claims and drawings.¹ No new matter is presented.

In the Final Office Action, Claims 1-6 and 9 are rejected under 35 U.S.C. § 102(e) as anticipated by Garrity et al. (U.S. Pat. 6,230,205, Garrity). In response to this rejection, Applicants respectfully submit that amended independent Claims 1, 5-6 and 9 recite novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 9, for example, recites, in part, a content distribution system, comprising:

a reservation control apparatus configured to ***transmit a menu to a client terminal via an open network***, the menu configured to ***display available service times to distribute content using a streaming server and a service fee, availability, bandwidth and cost corresponding to each of the available service times***;

the client terminal configured to transmit reservation request information for distributing content via the streaming server to a reservation control apparatus via an open network based on a selection of the desired service time from the menu...

Independent Claims 1, 5 and 6, while directed to alternative embodiments, are amended to recite similar features. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 1, 5, 6 and 9.

As depicted in an exemplary embodiment at Fig. 22, the reservation control apparatus (e.g., server reservation control center 101 in Fig. 12) is configured to transmit a menu to a client terminal, which displays available service times to distribute content using a streaming

¹ e.g., specification at least at Figs. 12 and 22 and p. 29, ll. 6-24 and pp. 47-51.

server and a service fee, availability, bandwidth and cost corresponding to each of the available service times.

Turning to the applied reference, Garrity describes a method for managing the delivery of a data in a communication system. Specifically, Fig. 1 and col. 3, ll. 33-50 of Garrity describes that a plurality of content providers 102-106 transmit data, or content, to target users 108-134 via an operation center 136. As described at col. 3, l. 58 - col. 4, l. 13, the operation center 136 functions as a scheduler 210, video server 208 and gateway to send data from the content providers to the target users.

Garrity, however, fails to teach or suggest that the scheduler 210 transmits a menu to the client providers 102-106, whatsoever, much less that such a menu includes the information outlined in amended independent Claim 9. More particularly, Garrity fails to disclose transmitting, from the scheduler 210 to the client providers 102-106, “*a menu ... configured to display available service times to distribute content using a streaming server and a service fee, availability, bandwidth and cost corresponding to each of the available service times,*” as recited in independent Claims 1, 5, 6 and 9.

Accordingly, Applicants respectfully request that the rejection of Claim 9 under 35 U.S.C. § 102(e) be withdrawn. For substantially similar reasons, it is also submitted that independent Claims 1, 5 and 6 also patentably define over Garrity.

Further, new Claims 10-13 are also added, which depend from amended independent Claims 1, 5, 6 and 9, respectively, and further recite that the information shown in the menu corresponds to each of a plurality of available channels of the streaming server. Applicants respectfully submit that Garrity fails to disclose the more detailed features of the menu, as recited in new dependent Claims 10-13.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-6 and 9-13 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

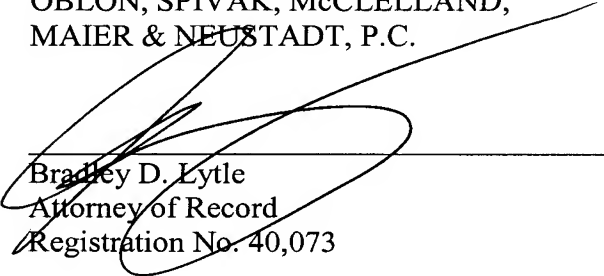
Respectfully submitted,

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